

Article - Education

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§7-1A-03.

(a) Except as provided under subsection (b) of this section, a county board shall ensure that:

(1) Beginning in the 2022–2023 school year, prekindergarten slots provided by eligible private providers shall account for at least 30% of the total prekindergarten slots provided by eligible prekindergarten providers in each county;

(2) The proportion of eligible private provider prekindergarten slots in each county increases by 5 percentage points every school year, until, in the 2026–2027 school year, eligible private provider prekindergarten slots account for at least 50% of eligible prekindergarten provider prekindergarten slots in each county; and

(3) In each year after the 2026–2027 school year, the proportion of eligible private provider prekindergarten slots in each county shall continue to constitute at least 50% of eligible prekindergarten provider prekindergarten slots in each county.

(b) (1) The Department shall issue a waiver from the requirements of this section to a county board if:

(i) All families in the county who desire to enroll their eligible children with eligible prekindergarten providers are able to do so; or

(ii) After reasonable cross-jurisdictional or regional efforts, there are too few eligible private providers to meet the minimum requirements of this section.

(2) The Department may exclude by annual waiver Tier I children who are 3 years old in a county from the calculation under subsection (a) of this section until the 2029–2030 school year.

(3) The Department may exclude by annual waiver Tier I children who are 4 years old in a county from the calculation under subsection (a) of this section until the 2026–2027 school year.

(4) The Department shall establish waiver application procedures to carry out the provisions of this subsection.

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